

Public Testimony given to the National Organic Standards Board at their Buena Park Meeting, March 6, 2001, By Rod Crossley

Good Morning:

As Chair of the California Organic Food Advisory Board I want to welcome you to California. We are happy to see you again and as you can tell by the amount of comments you have received this morning many of our producer and processors are too. The California Board does have one question, when is the National Organic Program staff going to answer the seven pages of comments the state submitted in January 2001? The comments I am about to make are my own.

The Federal Organic Foods Production Act of 1990 in Section 6517 outlined what the National Organic Standards Board (NOSB) and the USDA must do to establish the National List. Based on the scientific evaluation of a substance by their Technical Advisory Panel (TAP)(6518(k)(2) the board votes to approve or prohibited a substance, for inclusion on the national list. Section 6517(d) states that the Secretary will publish this list for comment and approval. The secretary may delete substances from the proposed NOSB list but may not add any substance to the NOSB list.

A review of the material approved for processing in section 205.605 in the USDA Final Rule, published December 20, 2000, shows that the USDA has added substances to the National List. The NOSB has never done a TAP review or taken a vote on Color section 205.605(a)(5) or on flavor 205.605(a)(9). At their Austin, Texas Meeting in 1996, they made a Final Recommendation, Addendum Number 14, "The use of Natural Flavors in Organic Foods" to the USDA. This recommendation was not included in the Final Rule. Until the NOSB conducts a TAP review and votes on these two substances they must be removed from the approved Processing Material List in the Final Rule.